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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/966,403	09/28/2001	Srinivas Gutta	US010453	4390

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EXAMINER

JONES III, CLYDE H

ART UNIT	PAPER NUMBER
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2611

DATE MAILED: 09/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/966,403	Applicant(s) GUTTA ET AL.	
	Examiner Clyde H. Jones III	Art Unit 2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3/28/2003, 3/27/2003, & 2/21/2002,</u> | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Objections

1. Claim 4 is objected to because of the following informalities: In claim 4 starting on line 1 "said step of generalizing" should be changed to --a step of generalizing--. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claim 1-8 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Barrett et al. (US 6,005,597).

In regards to claim 1, Barrett discloses a method of modifying a first user's user profile for a data-class (TV program) recommender (col. 4, lines 11-13), comprising the steps of:

receiving feedback from a first user scoring examples falling into various data-classes (col. 3, lines 55–64; col. 7, lines 53-58; col. 5 lines 42-54; in which a viewer's feedback (voting) scores program selection examples/samples of various topics and shows);

refining (updating) said first user's user profile responsively to a said feedback (col. 5, lines 42-46);

selectively modifying said first user's user profile responsively to data from a second user's user profile such that said first user's user profile is made more similar to said second user's user profile (col. 8, lines 45-55; in which preference information from a second user's profile is added to a first user's profile which is missing the selected information, effectively making them more similar).

In regards to claim 2, Barrett discloses the step of selectively modifying includes receiving a command from said first user (col. 7, lines 16-34).

In regards to claim 3, the limitation "first and second user's user profiles each include a generalized target description defining a broadest description of favored data-classes" is disclosed by Barrett whereby viewer profiles include preferences for the broadest descriptions (e.g., topics, keywords, title, etc.) of programs they are interested in/favor (fig. 4). As to the further limitation "step of modifying includes replacing said generalized description of said first user's user profile with said generalized description of said second user's user profile" reads on Barrett's updating of a viewer's preference information with information from another viewer's profile (col. 8, lines 45-55).

In regards to claim 4, the limitation "step of generalizing includes modifying said first user's user profile by substituting at least a union of specialized descriptions of said

Art Unit: 2611

first user's user profile and said second user's user profile for said specialized description of said first user's user profile" reads on Barrett's obtaining collaborative preference information/template from a viewer's profile and assimilating it into another viewer's profile (col. 8, lines 45-62). As to the term "union", it reads on Barrett's collaborative information that is a "composite" of viewer profiles, i.e., a union of more than one profile and the collaborative information is added to a first user's profile (col. 9, lines 8-17).

In regards to claim 5, Barrett discloses a method of modifying an implicit-type first user profile for a data-class (TV program) recommender that is generated based on feedback regarding particular data-class choices (col. 4, lines 11-13), comprising the steps of:

labeling features (preferred show titles/topics, inter alia) of a second user profile based on categories of criteria (viewer interest or disinterest), said second user profile being an implicit profile generated by providing feedback on individual selections (col. 6, line 49-col. 7, line 40; fig. 7; col. 5, lines 30-38; col. 8, lines 56-67; in which Barrett's system dynamically updates show and topic preferences of viewer profiles by monitoring viewing habits and choices/votes and/or inferring preferences from similar profiles);

displaying labels resulting from said step of labeling (col. 4, lines 11-13; fig. 9, item 950);

Art Unit: 2611

selecting at least one of said labels (col. 7, line 5-34; in which Barrett's system selects a label to increment in the viewer's profile e.g. the viewer watches a show with a particular topic and that topic is incremented in the viewer's profile);

modifying said first user profile responsively to portions of said second user profile corresponding to said at least one of said labels (col. 8, lines 45-55; in which a specific topic in a user's profile is used to augment the same specific topic in a different user's profile, e.g., a user is missing profile information for a show and a similar profile of a different user is used to supply the missing information for the first user).

In regards to claim 6, the limitation "step of labeling includes identifying first data descriptors that appear in combination with multiple other second data descriptors" reads on Barrett's system identifying descriptors, i.e., channel, topic, title, and time descriptors etc., that appear in combination with other descriptors, e.g., standard schedule information, keywords, viewer preferences, etc. (col. 6, line 54-61; fig. 1; fig. 4). The further limitation, "and labeling with a label corresponding to said first data descriptors" reads on Barrett's system tabulating/labeling preferences according to show title or topic as in fig. 4.

In regards to claim 7, the limitation "step of labeling includes identifying first data descriptors in a feature-value-score database for which high scores exist" reads on Barrett's system identifying shows, i.e., titles, with high topic/keyword scores from a

Art Unit: 2611

stored list of shows (created similar to the "feature-value-score" process of calculating viewer preferences as disclosed, fig. 8) (fig. 10, col. 10 lines 30-43).

In regards to claim 8, Barrett discloses a method of modifying an implicit-type first user profile (col. 6, line 49-col. 7, line 40), comprising the steps of:

combining features of said first user profile with features of a second user profile to make said first user profile more like said second user profile (col. 3 line 65-col. 4, line 4; in which a second user's profile features (not included in the first user's profile) are added to the features of a first users profile making them more similar);

said step of combining **including at least one** of replacing a first profile generalized description with a second profile generalized description (col. 5, lines 50-67; in which Barrett's system replaces an insufficiently described new viewer's profile with a better described generalized profile/template), adding at least a portion of a second profile specialized description to a first profile specialized description (col. 8, lines 45-61, in which Barrett's system augments a first user's profile by adding a specific portion, i.e., a specific topic missing from the first user's profile, to the first user's profile obtained from another user's profile which contains the specific topic), and modifying scores of a first profile feature-value-score database responsively to scores of a second profile feature-value-score database (col. 8, lines 45-52; fig. 9, items 930 and 940; col. 7, lines 53-55; col. 4, lines 43-44; in which Barrett's system adds preference information (including topic/show votes, i.e., features and values, used to obtain scores) to a first user's profile from a second user's profile which effectively modifies the first user's

Art Unit: 2611


scoring information stored in the user's profile database (electronic apparatus) as disclosed).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clyde H. Jones III whose telephone number is 571-272-5946. The examiner can normally be reached on 9-5:30 p.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Grant can be reached on 571-272-7294. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CJ


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